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Art Thoms, Scott Lungner, and Zachary Hoyer

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN WALKER,	)	Case No.: C 07 -06205 (TEH)
)	
Plaintiff,	)	DEFENDANTS' AMENDED NOTICE OF
	)	MOTION AND MOTION TO DISMISS
-vs-	)	PLAINTIFF'S COMPLAINT FOR FAILURE
	)	TO STATE A CLAIM UPON WHICH
CITY OF HAYWARD, OFFICER ART	)	RELIEF MAY BE GRANTED;
THOMS, OFFICER SCOTT LUNGER, and	)	[F.R.C.P. 12(b)(1), (6)]
OFFICER ZACHARY HOYER,)	
individually and their official capacities;	)	Date: 2/25/08 (Monday)
AMERICAN DISCOUNT SECURITY; and	)	Time: 10:00 a.m.
DAVID WARDAK aka DAVID WARDUK,	)	Crtrm:12
	)	450 Golden Gate Avenue, 19 th Fl.
Defendants.	)	San Francisco, California
	)	The Honorable Thelton E. Henderson

TO PLAINTIFF AND HIS ATTORNEY OF RECORD:

As per the direction of Court Clerk, Rowena Espinoza, please take notice that
defendants' motion to dismiss has been continued to February 25, 2008 at 10:00 a.m., in
Courtroom 12, located at 450 Golden Gate Avenue, 19th Floor, San Francisco, California.

DATED: January 9, 2008

MICHAEL J. O'TOOLE, City Attorney

By /S/

Randolph S. Hom, Assistant City Attorney
Attorneys for defendants City of Hayward,
Art Thoms, Scott Lungner, and Zachary Hoyer